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C O N F I D E N T I A L SECTION 01 OF 03 KUWAIT 001135

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SUBJECT: FREEDOM AGENDA: MUNICIPAL COUNCIL DECISION SPARKS RELIGIOUS DEBATE AND BUREAUCRATIC CONFUSION ABOUT CHURCHES

Classified By: CDA Matthew H. Tueller for reasons 1.4(b) and (d).

¶1. (SBU) Summary and Comment: The Kuwait Municipal Council denied on March 20 a Catholic group's request for land to build a new church. The denial caused a vigorous public debate over the limits of religious freedom for non-Muslims in Kuwait. All agreed on freedom of conscience, but some argued that Islam forbids the building of churches on the Arabian Peninsula while others criticized the hypocrisy of demanding Muslim rights in non-Muslim countries and then denying those rights to non-Muslims in Muslim countries. The Kuwait Municipality and Municipal Council are only supposed to review the technical aspects of land requests, and some members made statements about the technical reasons for denying the Church's request. Individual Municipal Council members did not refrain, however, from giving their opinions about whether they thought new churches should be built, thereby causing some doubt as to whether the technical justifications were excuses for other agendas. The Church finds itself in the confusing intersection between arguments about religious principles, technical bureaucratic procedures, complex inter-agency relations, the realities of a state where connections have traditionally been the way of getting things done, and traffic jams. End Summary and Comment.

Church's Request for Land Denied

¶2. (U) The Kuwait Municipal Council denied on March 20 the request of the Greek Catholic (Melkite) Church of Kuwait for a piece of land to build a church. The Church's members are Syrian and Lebanese expatriates. The Municipal Council did not provide an official reason for the refusal. (Note: The Municipal Council has authority to make all grants or leases of government land in Kuwait. Approximately 95% of Kuwait's land is owned by the government, according to a Kuwait Municipality source. End Note.)

Public Debate: Arguments Against Church-Building

¶3. (U) Newspaper coverage of the issue featured a number of MPs and other prominent Islamist-leaning figures declaring their opposition to the construction of churches in Kuwait:

-- Municipal Council member Abd Al-Aziz Al-Shayiji told the Al-Watan daily newspaper that non-Muslims could practice their religions in their homes or places of work, but that they could not establish their own houses of worship, even in rented facilities.

-- Salafi Islamist Adil Al-Damkhi, an Islamic studies professor at Kuwait University and a co-founder -- along with Islamist MPs Fahd Al-Khanna and Ahmad Baqer -- of an Islamic Human Rights NGO, gave a newspaper interview in which he

asserted that no new churches should be built in Kuwait, quoting the Prophet Muhammad "there are not two religions on the Arabian Peninsula." He added that existing churches did not have to be destroyed.

-- Al-Khanna added another quotation from the Prophet: "expel the mushrikeen (polytheists/idolators) from the Arabian Peninsula." (Note: Islam generally considers Christians and Jews not to be polytheists, so Al-Khanna's statement represents a particular interpretation of Islam. Al-Khanna is affiliated with Kuwait's Salafi movement. End Note.) Al-Khanna went on to say that non-Muslims were free to believe what they wanted, but that practicing their rituals was not permitted. He told Al-Watan that the presence of existing churches "violates Allah's book (the Qur'an) and the way of his Prophet (sunna)."

-- Youssef Al-Sanad, an Islamic scholar and speaker, said non-Muslims could be granted their rights as long as they did not threaten the security and strength of the Muslims. He continued that there were enough churches in Kuwait, given the percentage of Christians.

-- Professor of Sharia, Dr. Bassam Al-Shatti, said Muhammad had forbidden the destruction of churches that had been built before Islam, but also forbade the building of churches after the coming of Islam. He repeated that Muhammad said there was only one religion on the Arabian Peninsula and that anyone who facilitates the building of a church commits a sin. He noted that those who argue for allowing churches on the basis of pluralism are mistaken. According to the UN, he argued, the number of houses of worship should be in accordance with the number of citizens of a particular religion. Since there are not more than 110 Kuwaiti

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Christian citizens, the 10 official and 25 unofficial churches are more than sufficient. This latter argument was brought forward by many others as well, including Municipal Council members Muhammad Ibrahim Al-Mufrij and Zaid Al-Azmi.

Public Debate: Arguments For Church-Building

¶4. (U) Other Kuwaitis defended the right of Christians to build places of worship:

-- Pro-American, liberal political science professor Dr. Shamlan Youssef Ali wrote an opinion piece in the Al-Seyassah daily criticizing Muslims for demanding their rights to free worship in countries where Muslims are minorities, but then restricting the same right to non-Muslims in their own countries.

-- MP Badr Al-Farisi echoed the sentiment: "Houses of worship are guaranteed to all. We must respect (other) religions, just as we ask the West to respect our religion."

-- The Dean of Islamic and Sharia Studies at Kuwait University, Muhammad Al-Tabtabaei, put forth the argument that Islam does not force people to enter into it, and that non-Muslims have been protected in the Muslim world. He said it was the responsibility of those in power to weigh the costs and benefits to the Muslims of establishing new churches on a case-by-case basis.

The Church's View

¶5. (C) The initial decision refusing the Church's request had come the week prior to the March 20 decision. Church representative Pier Maloof told PolOff at that time that a Municipal Council member had told him that the Coptic Church (an Orthodox, primarily Egyptian Church with approximately 85,000 adherents in Kuwait), which is in the process of establishing a church in the same neighborhood where the

Greek Catholic Church wanted to build, was sufficient for the Christian community's needs. He brought up the oft-repeated argument made by Kuwaitis that there is no need for more churches since there are only about 100 Kuwaiti Christians. (Note: The expatriate Christian community, including all denominations, consists of 250,000 - 300,000 members. It is hard to quantify the number of churches. Estimates range from 5 - 25 places of worship, with many groups sharing facilities or operating out of private homes.) Maloof told PolOff in a March 27 meeting that the Church had sought help through Shaykha Fariha, a half-sister of the Amir and full-sister of the Crown Prince, whom the Church said was instrumental in helping the Copts establish their church and whom the Church views as a great supporter. Maloof said she had spoken with the Minister for Municipal Affairs and reported back to the church: "don't worry." Church officials clearly seemed worried, however. Church leaders requested Post's intervention, and Emboffs regularly discuss religious freedom with GOK contacts.

The View from the Municipality

¶16. (SBU) Musa Al-Sarraf, Assistant Undersecretary for Performance Auditing at the Municipality, told PolOff in a March 11 meeting that all requests for land must come through the relevant government body, and not directly to the Municipal Council or Municipality. The Municipal Council and the Municipality are then supposed to review the technical and planning aspects of the project. Al-Sarraf described this as a procedure to limit pet projects and other corrupt practices. (Note: The Municipal Council is an elected body. Until 2005, it controlled all land grants and leases, with the Kuwait Municipality as its technical arm. Due to allegations that the Council had too much power to easily whisk through pet projects, a 2005 law gave the Municipality a veto on all land decisions. Conflicts between the Municipality and the Council are referred to the Council of Ministers, Kuwait's cabinet. End note.)

¶17. (C) Dr. Fadhel Safar Ali, a first-term Municipal Council Member and Islamist-leaning Shi'a, told PolOff in a March 22 phone conversation that the Church had applied directly to the Council. He said it should reapply through the Ministry of Awqaf and Islamic Affairs. PolOff advised Maloof and Church leader Father Boutros Gharib of this technical requirement. They expressed doubt as to the efficacy of this strategy, since the land lease would have to ultimately be approved by the Municipal Council. They fear the Municipal Council is ideologically set against them, a fear that is

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reinforced by the public statements of some of the Council Members. Gharib also noted that the Ministry of Awqaf and Islamic Affairs had told Protestant leaders in Kuwait that it would have nothing to do with licensing a church.

¶18. (C) Ali told PolOff that the decision was based on one of the Council Member's argument that a plot had been allotted the previous year for a similar purpose (i.e. the Coptic Church). Without prompting, he then went on to say that if the Church could not pray in the same place as the other church because of sectarian differences "like Sunni-Shi'a they should have presented that argument to the Council. (Comment: The fact that Ali knew the Church's counterargument to why another church was necessary is significant. It could be a signal of willingness to approve a plot of land for a new church, but not at the expense of the normal legal process. On the other hand, it could signal that the Council does not favor approval and is looking for technical excuses so it does not have to explicitly forbid the construction of a church. End Comment.) In response to PolOff's question about the prominent declarations that church-building in Kuwait is illegal, he responded that the Kuwait constitution guarantees freedom of worship and that church-building is permissible in Kuwait.

Mosques Also Denied Construction Permits

¶9. (U) Municipal Council members Al-Azmi and Al-Mufrij also noted that Hawally, the district where the Church wanted to build, is experiencing overcrowding and traffic congestion. They said some applications for mosques had also been refused in Hawally for the same reasons.

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